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7/25
10/16/03
M. Prudger

THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Yasuo YAMAGUCHI, et al.

Serial No.: 09/466,934

* Group Art Unit: 2812

Filed: December 20, 1999

* Examiner: STEVENSON, ANDRE C

Title: SEMICONDUCTOR DEVICE, METHOD OF MANUFACTURING SAME AND METHOD OF DESIGNING SAME

**APPLICATION OF PREVIOUSLY PAID ISSUE FEE
IN ACCORDANCE WITH SECTION 1308.01 MPEP**

Assistant Commissioner of Patents and Trademarks
Washington, D.C. 20231

OK to Enter

Sir:

The above-identified application was withdrawn from Issue after payment of the Issue Fee in the amount of \$1280.00.

The application has now been allowed again and since a refund of the previously paid Issue Fee has not been requested, it is now requested that the previously paid Issue fee be applied to the Issue Fee being paid herewith. Enclosed herewith a copy of the Petition Granted.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



22850

Surinder Sachar

Marvin J. Spivak
Attorney of Record
Registration No. 24,913

Surinder Sachar
Registration No. 34,423

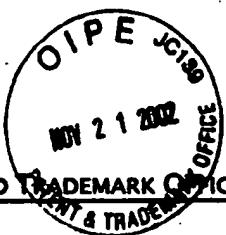
(703) 413-3000
Fax: (703) 413-2220

Docket No.: 0057-2567-2YY

Match and R turn



UNITED STATES PATENT AND TRADEMARK OFFICE



COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

Paper No.

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
1755 JEFFERSON DAVIS HWY
FOURTH FLOOR
ARLINGTON, VA 22202

COPY MAILED

JUL 17 2002

OFFICE OF PETITIONS

In re Application of
Yasuo Yamaguchi et al
Application No. 09/466,934
Filed: December 20, 1999
Attorney Docket No. 0057-2567-2YY

ON PETITION

This is a decision on the petition, filed July 16, 2002, under 37 CFR 1.313(c)(3) to withdraw the above-identified application from issue after payment of the issue fee.

The petition is GRANTED.

The above-identified application is withdrawn from issue in favor of a continued prosecution application (CPA) under 37 CFR 1.53(d).

Petitioner is advised that the issue fee paid on April 17, 2002 in the parent application is not refundable nor can it be applied towards any new Notice of Allowance which may issue on the CPA filed July 16, 2002.

Telephone inquiries should be directed to the undersigned at (703) 305-8859.

The application is being forwarded to Technology Center 2812 for processing of the CPA.

Karen Creasy
Karen Creasy

Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

RECEIVED: 7/19/02
OBLON, SPIVAK, McCLELLAND
MAIER & NEUSTADT, P.C.
DOCKETING DEPT.
Initials/Date Docketed: MDT/19/02
Type of Resp(s): _____
Due Date(s): _____



ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

OBLON
SPIVAK
McCLELLAND
MAIER
&
NEUSTADT
P.C.

ATTORNEYS AT LAW

OUR REF: 0057-2567-2YY
ALLOWED: AUGUST 22, 2002
GROUP ART UNIT: 2812

Re: Inventor: Yasuo YAMAGUCHI ET AL.
Serial No: 09/466,934
CPA Filed: JULY 16, 2002
For: SEMICONDUCTOR DEVICE, METHOD OF
MANUFACTURING SAME AND METHOD OF
DESIGNING SAME

GREGORY J. MAIER
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DAVID A. BLODEAU
SENIOR ASSOCIATE
(703) 412-6444
DBLODEAU@OBLON.COM

SIR:

Attached hereto for filing are the following papers:

COMMENTS ON REASONS FOR ALLOWANCE

Our check in the amount of \$ -0- is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 CFR 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Gregory J. Maier
Attorney of Record
Registration No. 25,599
David A. Bilodeau
Registration No. 42,325



22850

/des

0057-2567-2YY



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF:

Yasuo YAMAGUCHI ET AL. : EXAMINER: STEVENSON, A.

SERIAL NO: 09/466,934 : GROUP ART UNIT: 2812

CPA FILED: JULY 16, 2002 : DATE ALLOWED: AUGUST 22, 2002

FOR: SEMICONDUCTOR DEVICE, METHOD
OF MANUFACTURING SAME AND
METHOD OF DESIGNING SAME

COMMENTS ON REASONS FOR ALLOWANCE

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

The Notice of Allowance mailed August 22, 2002, incorrectly states that the amendment after final rejection was filed January 2, 2002. However, Applicants note the amendment after final was actually filed on December 14, 2001.

Accordingly, it is requested this error be corrected.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

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David A. Bilodeau
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Dept.: E/M

By: GJM/DAB/des

OSMM&N File No. 0057-2567-2YY

Serial No. 09/466,934

In the matter of the Application of: Yasuo YAMAGUCHI ET AL.

For: SEMICONDUCTOR DEVICE, METHOD OF MANUFACTURING SAME
AND METHOD OF DESIGNING SAME

Due Date: N/A

The following has been received in the U.S. Patent Office on the date stamped below:

- Dep. Acct. Order Form
- Letter/Cover
- Response
- Petition Under 37 C.F.R. § 1.181

RECEIVED
OCT 25 2002
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ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

OBLON
SPIVAK
McCLELLAND
MAIER
&
NEUSTADT
P.C.

ATTORNEYS AT LAW

OUR REF: 0057-2567-2YY
ALLOWED: AUGUST 22, 2002
GROUP ART UNIT: 2812

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Re: Inventor: Yasuo YAMAGUCHI ET AL.
Serial No: 09/466,934
CPA Filed: JULY 16, 2002
For: SEMICONDUCTOR DEVICE, METHOD OF
MANUFACTURING SAME AND METHOD OF
DESIGNING SAME

SIR:

Attached hereto for filing are the following papers:

RESPONSE
PETITION UNDER 37 C.F.R. § 1.181

Our check in the amount of \$ -0- is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 CFR 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

COPY

Gregory J. Maier
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David A. Bilodeau
Registration No. 42,325



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/des

0057-2567-2YY



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF:

Yasuo YAMAGUCHI ET AL.

: EXAMINER: STEVENSON, A.

SERIAL NO: 09/466,934

: DATE ALLOWED: AUGUST 22, 2002

CPA FILED: JULY 16, 2002

: GROUP ART UNIT: 2812

**FOR: SEMICONDUCTOR DEVICE, METHOD
OF MANUFACTURING SAME AND
METHOD OF DESIGNING SAME**

RESPONSE

**ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231**

SIR:

Applicants note the PTO-1449 forms filed with the Information Disclosure Statements on July 18 and August 5, 2002, have not been acknowledged by the Examiner (i.e., the publications cited on the PTO-1449 forms have not been initialed). Accordingly, this response requests initialed copies of the PTO-1449 forms.

Respectfully submitted,

**OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.**

COPY



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0057-2567-2YY



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF:

Yasuo YAMAGUCHI ET AL.

: EXAMINER: STEVENSON, A.

SERIAL NO: 09/466,934

: DATE ALLOWED: AUGUST 22, 2002

CPA FILED: JULY 16, 2002

: GROUP ART UNIT: 2812

**FOR: SEMICONDUCTOR DEVICE, METHOD
OF MANUFACTURING SAME AND
METHOD OF DESIGNING SAME**

PETITION UNDER 37 C.F.R. §1.181

**ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231**

SIR:

Applicants respectfully petition in accordance with 37 C.F.R. § 1.181(a)(3) to compel the Examiner to acknowledge that the publications cited in the PTO-1449 forms filed with the Information Disclosure Statements on July 18 and August 5, 2002 have been considered.

37 C.F.R. §1.181(a)(3) allows petition to invoke the supervisory authority of the Commissioner in appropriate circumstances.

Consequently, this is an appropriate circumstance in which to invoke the supervisory authority of the Commissioner to compel the Examiner to acknowledge the PTO-1449 forms noted above.

COPY

Accordingly, it is respectfully submitted that this Petition under 37 C.F.R. §1.181 be granted and that the Examiner consider the enclosed response.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

COPY

Gregory J. Maier
Attorney of Record
Registration No. 25,599
David A. Bilodeau
Registration No. 42,325



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Fax #: (703) 413-2220

GJM/DAB/des

l:\atty\GJM\005700572567.petition.1.181.wpd



PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail Box ISSUE FEE**
Commissioner f r Patents
Washington, D.C. 20231
Fax (703)746-4000

B \$

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

7590 08/22/2002

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.



22850

New Address Label

Certificate of Mailing or Transmission
I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Box Issue Fee address above, or being facsimile transmitted to the USPTO, on the date indicated below.

(Depositor's name)

(Signature)

(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/466,934	12/20/1999	YASUO YAMAGUCHI	0057-2567-2YY	1749

TITLE OF INVENTION: SEMICONDUCTOR DEVICE, METHOD OF MANUFACTURING SAME AND METHOD OF DESIGNING SAME

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$0	\$0	\$0	11/22/2002

EXAMINER	ART UNIT	CLASS-SUBCLASS
STEVENSON, ANDRE C	2812	257-446000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

"Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 OBLON, SPIVAK,
2 McCLELLAND, MAIER
3 & NEUSTADT, P.C.

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Mitsubishi Denki Kabushiki Kaisha Tokyo, JAPAN

Please check the appropriate assignee category or categories (will not be printed on the patent) individual corporation or other private group entity government

4a. The following fee(s) are enclosed:

4b. Payment of Fee(s):

Issue Fee
 Publication Fee *****NO FEES DUE*****
 Advance Order - # of Copies **-0-**

A check in the amount of the fee(s) is enclosed.
 Payment by credit card. Form PTO-2038 is attached.
 The Commissioner is hereby authorized to charge the required fee(s), or credit any overpayment, to Deposit Account Number **10-00030** (enclose an extra copy of this form).

Commissioner for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature) *James J. Lachey* (Date) *34,423 11-21-02*

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

12/03/2002 ROLM0000010 09466934

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